

§ 372.95**40 CFR Ch. I (7–1–08 Edition)**

like compounds, which shall be reported in grams) per year (releases of less than 1,000 pounds per year may be indicated in ranges, except for chemicals set forth in § 372.28) from the facility plus an indication of the basis of estimate for the following:

(A) Fugitive or non-point air emissions.

(B) Stack or point air emissions.

(C) Discharges to receiving streams or water bodies including an indication of the percent of releases due to stormwater.

(D) Underground injection on site.

(E) Releases to land on site.

(ii) Additional Reporting for the dioxin and dioxin-like compounds category.

(A) For reports pertaining to a reporting year ending on or before December 31, 2007, report a distribution of the chemicals included in the dioxin and dioxin-like compounds category. Such distribution shall either represent the distribution of the total quantity of dioxin and dioxin-like compounds released to all media from the facility; or its one best media-specific distribution.

(B) For reports pertaining to a reporting year ending after December 31, 2007, report the quantity of each member of the dioxin and dioxin-like compounds category in units of grams per year on Form R Schedule 1.

(15) Information on transfers of the chemical in wastes to off-site locations as follows:

(i) For transfers to Publicly Owned Treatment Works (POTW):

(A) The name and address (including county) of each POTW to which the chemical is transferred.

(B) An estimate of the amount of the chemical transferred in pounds (except for dioxin and dioxin-like compounds, which shall be reported in grams) per year (transfers of less than 1,000 pounds per year may be indicated as a range, except for chemicals set forth in § 372.28) and an indication of the basis of the estimate. In addition, for reports pertaining to a reporting year ending after December 31, 2007, report the quantity of each member of the dioxin and dioxin-like compounds category in units of grams per year on Form R Schedule 1.

(ii) For transfers to other off-site locations:

(A) The name, address (including county), and EPA identification number (RCRA I.D. Number) of each off-site location, including an indication of whether the location is owned or controlled by the reporting facility or its parent company.

(B) An estimate of the amount of the chemical transferred in pounds (except for dioxin and dioxin-like compounds, which shall be reported in grams) per year (transfers of less than 1,000 pounds per year may be indicated as a range, except for chemicals set forth in § 372.28) and an indication of the basis of the estimate. In addition, for reports pertaining to a reporting year ending after December 31, 2007, report the quantity of each member of the dioxin and dioxin-like compounds category in units of grams per year on Form R Schedule 1.

(16) The following information relative to waste treatment:

(i) An indication of the general type of wastestream containing the reported chemical.

(ii) The treatment method applied to the wastestream.

(iii) An estimate of the efficiency of the treatment, which shall be indicated by a range.

(iv) An indication (use is optional) of whether treatments listed are part of a treatment sequence.

[56 FR 29186, June 26, 1991, as amended at 64 FR 58753, Oct. 29, 1999; 70 FR 39949, July 12, 2005; 71 FR 32477, June 6, 2006; 72 FR 26553, May 10, 2007]

§ 372.95 Alternate threshold certifications and instructions.

(a) *Availability of the alternate threshold certification statement and instructions.* Availability of the alternate threshold certification statement and instructions is the same as provided in § 372.85(a) for availability of the reporting form and instructions.

(b) *Alternate threshold certification statement elements.* The following information must be reported on an alternate threshold certification statement pursuant to § 372.27(b):

(1) Reporting year.

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(2) An indication of whether the chemical identified is being claimed as trade secret.

(3) Chemical name and CAS number (if applicable) of the chemical, or the category name.

(4) Signature of a senior management official certifying one of the following:

(i) Pursuant to 40 CFR 372.27(a)(1), “I hereby certify that to the best of my knowledge and belief for the toxic chemical(s) listed in this statement, for this reporting year, the annual reportable amount for each chemical, as defined in 40 CFR 372.27(a)(1), did not exceed 5,000 pounds, which included no more than 2,000 pounds of total disposal or other releases to the environment, and that the chemical was manufactured, or processed, or otherwise used in an amount not exceeding 1 million pounds during this reporting year;” and/or

(ii) Pursuant to 40 CFR 372.27(a)(2), “I hereby certify that to the best of my knowledge and belief for the toxic chemical(s) of special concern listed in this statement, there were zero disposals or other releases to the environment (including disposals or other releases that resulted from catastrophic events) for this reporting year, the “Annual Reportable Amount of a Chemical of Special Concern” for each such chemical, as defined in 40 CFR 372.27(a)(2), did not exceed 500 pounds for this reporting year, and that the chemical was manufactured, or processed, or otherwise used in an amount not exceeding 1 million pounds during this reporting year.”

(5) Date signed.

(6) Facility name and address.

(7) Mailing address of the facility if different than paragraph (b)(6) of this section.

(8) Toxic chemical release inventory facility identification number if known.

(9) Name and telephone number of a technical contact.

(10) The four-digit SIC code(s) for the facility or establishments in the facility until the reporting year ending December 31, 2005, for which reporting forms are due July 1, 2006. Beginning with the reporting year ending December 31, 2006, for which reporting forms are due July 1, 2007, and for each subse-

quent reporting year, the six-digit NAICS code(s) for the facility or establishments in the facility.

(11) Dun and Bradstreet Number of the facility.

(12) Name of the facility’s parent company.

(13) Parent company’s Dun and Bradstreet Number.

[59 FR 61502, Nov. 30, 1994, as amended at 70 FR 39949, July 12, 2005; 71 FR 32477, June 6, 2006; 71 FR 76945, Dec. 22, 2006]

PART 373—REPORTING HAZARDOUS SUBSTANCE ACTIVITY WHEN SELLING OR TRANSFERRING FEDERAL REAL PROPERTY

Sec.

373.1 General requirement.

373.2 Applicability.

373.3 Content of notice.

373.4 Definitions.

AUTHORITY: 42 U.S.C. 9620.

SOURCE: 55 FR 14212, Apr. 16, 1990, unless otherwise noted.

§ 373.1 General requirement.

After the last day of the six-month period beginning on April 16, 1990, whenever any department, agency or instrumentality of the United States enters into any contract for the sale or other transfer of real property which is owned by the United States and at which any hazardous substance was stored for one year or more, known to have been released, or disposed of, the head of such department, agency or instrumentality must include in such contract notice of the type and quantity of such hazardous substance and notice of the time at which such storage, release or disposal took place, to the extent such information is available on the basis of a complete search of agency files.

[60 FR 33915, June 29, 1995]

§ 373.2 Applicability.

(a) Except as otherwise provided in this section, the notice required by 40 CFR 373.1 applies whenever the United States enters into any contract for the sale or other transfer of real property which is owned by the United States and on which any hazardous substance